## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION No. 7:23-cv-01476-KS

FRANK GONZALEZ,	)	
Plaintiff,	)	
v.	)	$\underline{\text{ORDER}}$
MARTIN O'MALLEY, Commissioner of Social Security,	) )	
Defendant,	) ) )	
	,	

This matter is before the court on Defendant's Motion for Remand to the Commissioner for Further Administrative Proceedings. Plaintiff's counsel has been contacted regarding the Government's Motion for Remand and consents to the remand. With the parties' consent, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remands the case to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991). Upon remand, the Appeals Council will refer Plaintiff's case to an Administrative Law Judge, who shall offer Plaintiff the opportunity for a new hearing, take any further action needed to complete the administrative record, and issue a new decision.

The Clerk of Court is directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 24th day of April 2024.

KIMBERIAY A. SWANK

UNITED STATES MAGISTRATE JUDGE